IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 13TH JULY 2006 / 22ND ASHADHA,1928

Bail Appl..No. 4190 of 2006

CMP.789/2006 of J.M.F.C.-II, CHENGANNUR
(CRIME NO.110/2006 OF CHENGANNUR EXCISE RANGE)

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PETITIONER/ACCUSED:

BABU, S/O. KUNJUKUNJU, AGED 40 YEARS,
BLOCK NO.12/A, PERISSERY COLONY, PERISSERIY
PADINJATTUM MURI, PULIYOOR VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR, CHENGANNUR.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4190/2006

DATED THIS THE 13TH DAY OF JULY, 2006

O R D E R

The petitioner was arrested on 28.6.2006 at 6.30 p.m., for having illegally possessed 800 ml. of illicit arrack, by the Inspector of Excise Range, Chengannur, under Section 8(1) & 8(2) of the Abkari Act. The petitioner is in judicial custody, as remanded by the Court below, on production before it. Hence this application, under Section 439 Cr.P.C.

2. I heard both sides. The learned Public Prosecutor submitted that there is no other case registered against the petitioner, and the investigation is complete. Considering the facts and circumstances of this case, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each

for the like sum, to the satisfaction of the Judicial Magistrate of first Class-II, Chengannur.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of one month, starting from 18.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs